

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LINDA PEDRAZA,

Plaintiff,

v.

ALAMEDA UNIFIED SCHOOL DISTRICT,  
et al.,

Defendants.

No. C 05-4977 CW

ORDER DENYING MP'S  
APPLICATION TO  
PROCEED IN FORMA  
PAUPERIS ON  
APPEAL

Linda Pedraza, purportedly on behalf of her minor child, MP, applies to proceed in forma pauperis (IFP) on appeal. The IFP application indicates that MP, who is a minor child with a disability, has no income or expenses and no assets.

The claims brought by MP were dismissed on November 26, 2008, when Linda and Francisco Pedraza failed to respond to the Court's order to show cause why MP should not be dismissed from the case for lack of counsel pursuant to Johns v. County of San Diego, 114 F.3d 874, 877 (9th Cir. 1997). Docket No. 150 (November 26, 2008 Order). In Johns, the Ninth Circuit held that "a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer." Thereafter, Ms. Pedraza, acting on her own behalf, litigated her own claims against Defendants.

1 Because MP is not represented by counsel, he cannot appeal  
2 this case. Therefore, MP's application to proceed IFP on appeal  
3 is denied.

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5 IT IS SO ORDERED.

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7 Dated: 6/12/2012

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9 CLAUDIA WILKEN  
10 United States District Judge  
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